

# **WATER QUALITY TEAM MEETING NOTES**

**April 3, 2001**

**National Marine Fisheries Service Offices  
Portland, Oregon**

## ***Introductions and Review of the Agenda.***

Mark Schneider of NMFS and Mary Lou Soscia of EPA, WQT co-chairs, welcomed everyone to the meeting, held April 3 at the National Marine Fisheries Service offices in Portland, Oregon. The meeting was facilitated by Donna Silverberg. The meeting agenda and a list of attendees are attached as Enclosures A and B. Please note that some of the enclosures referenced in these meeting notes may be too lengthy to routinely attach to the minutes; please contact Kathy Ceballos (503/230-5420) to obtain copies.

## ***1. TMDL Update.***

Soscia reported that the states and EPA are continuing to hold regular monthly meetings to discuss the development of the mainstem TMDL. EPA is also doing some modeling of the Snake/Columbia system to get a better understanding of the impact of this summer's anticipated low flows on both the power system and water quality. So far, said Soscia, we have modeled the CRITFC operational proposal, and are waiting for some information from BPA that will allow us to run the federal proposal. By the next WQT meeting, we hope to be able to share that information with you, she said; if anyone would like further details, please contact me directly to get the results from the CRITFC runs.

In response to a question from Stu McKenzie, Soscia said the runs are being done on the newly-developed EPA temperature model, in an effort to obtain some insight into probable temperature regimes under various operational scenarios, in order to inform the decision-making process later this spring and summer. McKenzie noted that, any time you use independent variables to drive a model that are outside the range of calibration, that adds another layer of uncertainty; he asked Soscia to check to see whether or not the variables used in this case are outside the range of calibration. Soscia said she will check on the calibration issue with the EPA modelers.

With respect to the TMDL, at last week's meeting, we spent a lot of time talking about the temperature workplan, Soscia said. I wanted to talk about when we might be able to provide a more detailed presentation at a future WQT meeting, so that we can have a more detailed discussion on these issues. Soscia reminded the group that EPA is taking the lead on the development of the temperature TMDL, but noted that the states will issue the final TMDL.

Under the current workplan, the final temperature TMDL is expected to be in hand by August 2002. Soscia added that EPA is organizing a series of public workshops on water quality monitoring, and plans to use the WQT as the venue for sharing this information.

Basically, she said, we envision a series of meetings in cities around the region – Boise, Spokane, Tri-Cities, Portland and possibly Olympia. We plan to hold a workshop in the June-July period this year on the water quality monitoring effort; in preparation, we plan to release a report on our water temperature model, together with CD-ROM copies of the model, in April. In May, Soscia continued, we plan to do simulations of water temperature in support of the TMDL development; the results of this exercise will be presented at a workshop in August.

Soscia continued on through the TMDL workplan, noting that, in general, this schedule is quite aggressive. In October, she said, the plan is to present the loading capacity and allocation analysis. In February 2002, we will release the draft TMDL for public comment, Soscia said; during March of 2002, there will be a series of public meetings to take comment on the draft TMDL. As I've said before, EPA has made an intensive commitment to outreach, and have already had a series of one-on-one meetings with the pulp and paper and agriculture industries and the PUDs, Soscia said. We will be traveling to Washington D.C. for Congressional briefings later this spring, as well as a series of meetings with environmental groups. If anyone is interested in additional outreach opportunities, she said, please let me know as soon as possible.

At the next WQT meeting on May 8, it would probably be a good idea to schedule a more detailed briefing on our progress in developing the TMDL, Soscia said. There was general agreement that this would be useful. Soscia said that, by that time, she should be able to share the final report on the EPA temperature model, as well as some preliminary modeling results from running at least CRITFC's proposed operational scenario.

With respect to the dissolved gas TMDL, Russell Harding reminded the group that the states are taking the lead on this effort; the state group is developing a workplan that will dovetail with the temperature workplan. He added that many of the workshops mentioned earlier by Soscia will actually be joint TDG and temperature workshops. There is a meeting tentatively set up with the Corps for Friday, April 13 to discuss the proposed TDG TMDL approach and find out whether or not the Corps believes it will be workable, he said. Harding added that the goal is to develop a final TDG TMDL by December 31, 2001. Whether or not this will be possible will depend, to a large extent, on what we hear at that April 13 meeting, he added; frankly, I'll be surprised if we can't salvage something from our approach and the DGAS program that will allow us to move forward with TMDL development.

## ***2. Water Quality Plan Update.***

Richard Cassidy reported that there were two meetings on March 28 concerning the BiOp Water Quality Plan (WQP). The morning meeting was for the federal agencies; the afternoon meeting was also open to the states and tribes. At the morning meeting, he said, we talked about a number of issues related to how we will proceed with WQP development; the good news is that we have been given the funding to move forward with the plan. The Corps will be taking the

lead on this inter-agency plan, while BPA and Reclamation will provide review comments. Our intention is to complete the WQP by the end of this fiscal year, September 30, 2001, Cassidy said. Walla Walla District will be the lead author for the plan, with contributions from the Corps' Portland and Seattle Districts and the Bureau of Reclamation.

At the March 28 meetings, we also reviewed BiOp RPAs 131-143, and talked about the specific actions the Corps has been taking with respect to those RPAs, Cassidy said. We also discussed next week's meeting with the lawyers to discuss the recent settlements, he added.

In the afternoon session of the March 28 meeting, Cassidy continued, Walla Walla District provided a presentation on what the WQP will consist of; there were a lot of questions and answers about that presentation, as well as about what happened at the morning meeting. We talked about funding and TMDL development, and we also started to set up the April 13 TMDL meeting Russell Harding just mentioned, Cassidy said.

Cassidy also discussed the recent meeting between the Corps and EPA concerning databases; specifically, what kind of database will be needed to support the inter-agency WQP. It was a very productive meeting, he said; we identified a number of actions we are now in the process of carrying out. We're getting additional information from the National Water Quality Monitoring Council, he explained, mainly about maintaining consistency in data gathering procedures. We will also be following up with EPA to make sure the data we generate can be introduced into their Storette system, and we will be following up with USGS and the Forest Service to see what data they have available.

One significant issue that came out of the meeting was the need to gather meteorological information as a key component of the database, Cassidy said. At this point, we're looking to release a draft scoping document on the database by April 20, he said.

When do you think the Corps might feel comfortable giving the WQT a more formal presentation on the Water Quality Plan? Soscia asked. Possibly by your June meeting, Cassidy replied. Shall we plan on that? Soscia asked. That would be fine, Cassidy said.

### ***3. Approval of Water Quality Team Guidelines.***

Schneider distributed copies of the most recent version of the draft WQT Guidelines, dated April 3, reflecting all of the changes agreed to at the last WQT meeting. This document is Enclosure C. If anyone has a change that should have been made but was not, he said, please let me know as soon as possible.

Since this is now the third meeting at which we have had this document on the table, said Schneider, at today's meeting, I would like to offer it up for group approval. At the last meeting, we agreed that any additional comments would be provided to me between that meeting and this one, he said; no one provided me additional comments, which I take to mean that there are no major concerns still out there.

The group devoted a few minutes of discussion to the question of what constitutes

agreement for the WQT: silence? Formal polling? Verbal assent? The group also discussed what constitutes a decision-making quorum for the WQT. Ultimately, there was general agreement that verbal consent among those present, or written assent for decisions that need to be made between meetings, to be collected by the WQT co-chairs, will constitute agreement for the purposes of this group. Soscia noted that the WQT agenda sent out well in advance of the monthly WQT meeting always notes when there is a decision to be made; there is always plenty of notice so that anyone with a stake in a decision can attend the meeting or call in on the conference line. If they can't be bothered to attend or call in, Soscia said, then they've lost the opportunity to make their feelings known. Silverberg asked whether anyone present objected to the above definition of agreement; no dissenting opinions were voiced.

Soscia said she will work with Schneider to draft a new paragraph capturing the above agreement for inclusion in the final draft of the Guidelines. Are there any additional concerns about the WQT Guidelines? Silverberg asked. Can we assume that everyone is OK with the Guidelines, once this change is made? Silverberg asked. No objections being heard, the WQT Guidelines were approved.

#### ***4. 2001 Water Quality Standard Variance Update.***

Cassidy reported that the Corps has written to all four states, as well as seven tribes, about entering into a long-term agreement concerning variances. We've received responses from all four states, he said, and are in the process of scheduling meetings between representatives from each of the appropriate agencies in those four states and Colonel Mogren and other Corps executives. Those meetings have been scheduled for May 21 in Olympia and Boise, May 22 in Helena and May 23 in Portland. We have not yet received any response from the tribes, Cassidy said; as soon as we do, we will provide additional information to the WQT. In response to a question, Cassidy said he will let Soscia know whether or not the Corps expects EPA to participate in the May meetings.

Harding said that, with respect to the Oregon waiver, the Oregon Environmental Quality Commission met last week and approved a variance to the dissolved gas standard for the period April 10-August 31 at 120% TDG tailrace and 115% TDG at the next project downstream -- in other words, the standard waiver we have provided in each of the past several years, he said. The Commission did, however, signal a couple of things, Harding said. It asked yet again that the Corps produce an annual report on the water year; it also requested that this report convey an understanding of the biological benefits of the spill program. Timeline? Soscia said. The EQC has stipulated that it wants the report and any request for a waiver in 2002 by December 31, 2001, Harding replied. Basically, what the Commission is signaling is that they want a better technical understanding of exactly what it is they're doing in granting this waiver year after year, he explained.

In response to a question from Soscia, Harding said ODEQ staff has not yet discussed the Corps' request for a multi-year waiver; in the past, the Commission has been clear that they want this to be an annual process. ODEQ staff is not opposed to the idea of granting a longer-term variance, Harding said, but to us, that will likely require having a TMDL, and a long-term plan for water quality improvements, in place. If our Commission is to forego the pleasure of their

annual inquisition of the federal agencies, he said, we will need some assurance that the TMDL and the long-term water quality strategy will be implemented. If that is going to happen, he said, we need to let the Commission know this is an option, some time before December 31; otherwise, if the Corps is going to request a one-year waiver for 2002, it needs to be submitted by December 31 of this year. Harding added that, in his view, it would be helpful for the Corps to provide regular water quality briefings to the EQC, if they truly desire a longer-term waiver. That would be no problem, Cassidy replied.

I suggest that the states and federal parties stay engaged, and continue to work together, if we are to bring this longer-term waiver agreement to fruition, Soscia said. There was general agreement that such an approach makes sense.

### ***5. Regional Water Temperature Criteria.***

Soscia said that, as some WQT members know, there have been a series of public meetings held on this topic throughout the region, in Lacey, Portland and Boise, to allow the regional water temperature criteria workgroup to share their technical thinking about a more regional approach to temperature criteria. There were a lot of presentations at those meetings, Soscia said; there was a large crowd of people, at least at the Portland meeting – perhaps 150 in all.

In terms of next steps, said Soscia, the group will continue to work on its technical recommendations, there will be a public review process, with the final criteria issued in October 2001. Once the decision is made on this regional approach, Soscia said, the states will work them through their triennial standards review processes. In other words, she said, this is a long-term effort, in terms of actually changing the applicable standards. EPA does support this more regional approach, she said; after all, this is a connected system, and this effort will help us develop a more global strategy for dealing with these very difficult water quality issues.

### ***6. Report from Gas Monitoring Subcommittee.***

Schneider reminded the group that, at the last WQT meeting, he distributed copies of the gas monitoring subgroup's current objectives and tasks; he handed out a slightly-revised version of this document at today's meeting (Enc. D).

There is a second handout, a letter from me to Dick Cassidy explaining the subgroup's position on the Camas/Washougal fixed monitoring station, Schneider said (Enc. E). In response to a question from Schneider, Cassidy said he has seen this letter but has not yet developed a response. We'll talk later this week, said Schneider, adding that the next subgroup meeting is scheduled for this Friday.

Jim Britten distributed a draft scope of work for the review of the fixed monitoring sites called for in RPA 132 in the 2000 FCRPS BiOp; this document is Enclosure E. Essentially, what is being proposed is a review of the DGAS data, particularly the near-field and entire-pool studies, to see whether we can find sites and locations that would be more representative of the conditions the fish are experienced in the river as a whole, he said. Britten noted that it may be

necessary to collect some additional data as well, if key data gaps are detected, adding that this information may also be useful in informing the TMDL development process.

In response to a comment from Soscia, Cassidy said there may be some disagreement between the EPA and Corps interpretations of the language in the 2000 FCRPS BiOp regarding the development of the annual water quality monitoring plan. It sounds as though some further discussion between EPA and the Corps of what the BiOp language really means would be helpful, Silverberg suggested. We do recognize that there may be a need for additional temperature monitoring to support the temperature modeling work, Cassidy said; however, it wasn't our interpretation that this means we needed to add to our water quality monitoring in support of system operations. Soscia replied that she will consult with NMFS' Jim Ruff and get back to the Corps to discuss what, precisely, the BiOp requires. In the meantime, said Schneider, we will discuss this scope of work further at Friday's subgroup meeting.

## **7. *Other.***

***A. April TGG Meeting.*** Schneider noted that the Transboundary Gas Group is meeting tomorrow and Thursday at the Northwest Power Planning Council's Portland offices. There will be four focal points to this meeting, he explained, the four activities identified by the steering committee from the TGG Framework document. We will talk about what has been going on, or will soon begin, in those four areas: monitoring, modeling, gas abatement, and the legal implications of the TGG effort.

We will also spend some time each day focusing on the one thing we haven't had a chance to talk about at previous TGG meetings, he continued: what all of this means and where the TGG effort is going. This time, he said, we are going to talk about it, one way or another. In response to a question from Silverberg, Schneider said anyone who is interested is invited to attend. The facilitator will be Dan Phelan from EPA's Seattle office, Soscia added; we've put together a good agenda, and it should be a very interesting and productive meeting. EPA's Chuck Rice noted that a five-day conference on Columbia River transboundary gas issues, similar to but broader in scope than the Castlegar conference that spawned the TGG in 1998, has been scheduled for April 27-May 1 2002 in Spokane. The call for papers for this conference is expected to go out soon, Schneider added.

## **8. *Next WQT Meeting Date.***

The next meeting of the Water Quality Team was set for Tuesday, May 8. Meeting notes prepared by Jeff Kuechle, BPA contractor.